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08                   UNITED STATES DISTRICT COURT  
09                   WESTERN DISTRICT OF WASHINGTON  
10                   AT SEATTLE

11                   UNITED STATES OF AMERICA,                 )  
12    ) Case No. CR00-0184-TSZ-003  
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DANTE EULALIO NARTE,  
Defendant.

An initial hearing on a petition for violation of supervised release was held before the undersigned Magistrate Judge on May 4, 2006. The United States was represented by Assistant United States Attorney Susan Roe, and the defendant by Mr. Todd Maybrown. The proceedings were recorded on cassette tape.

The defendant had been sentenced on or about Marcy 9, 2001, to thirty-six (36) months in custody to be followed by five (5) years of supervised release by the Honorable Thomas S. Zilly on a charge of Conspiracy to Import and Distribute 100 or More Kilograms of Marijuana.

In addition to the standard conditions of supervised release, which include compliance with all local, state, and federal laws, special conditions of supervised release were imposed. These special conditions included, but were not limited to, participation in a substance-abuse treatment program, consent to search and seizure procedures, no possession of firearms;

01 subjection to mandatory drug testing, participation in drug testing, abstaining from the use of  
02 alcohol, financial disclosure, cooperating with the Internal Revenue Service, and financial  
03 disclosure.

04 In the Pretrial Petition for Warrant or Summons for Offender dated March 9, 2006, and  
05 the Supplemental Violation Report dated March 29, 2005, Mr. Brian H. Rogers, U.S. Probation  
06 Officer, alleges the following violations of defendant's conditions of supervised release:

07 (1) Failing to submit urine samples as directed on October 4, November 28,  
08 November 21, 2005, and January 9, February 21, and March 6, 2006, in violation of the special  
09 condition that he submit to drug testing to determine if he has reverted to the use of drugs or  
10 alcohol.

11 (2) Failing to submit monthly reports for the months of December 2005, January  
12 2006, and February 2006.

13 (3) Assault on March 8, 2006, in violation of the general conditions that he not  
14 commit another federal, state, or local crime.

15 The defendant admitted to violations Nos. 1 and 2, and waived his rights to any  
16 evidentiary hearing as to whether they occurred.

17 At the revocation hearing, the government dismissed alleged violation No. 3.

18 I therefore recommend that the Court find the defendant violated the conditions of his  
19 supervised release as to violations Nos. 1 and 2, and that the Court conduct a hearing limited to  
20 disposition of these violations.

21 A disposition hearing on violations Nos. 1 and 2 has been set before the Honorable  
22 Thomas S. Zilly, for Thursday, May 25th, at 11:00 a.m.

23 Pending a final determination by the Court, the defendant has been released subject to  
24 the continued terms of his supervised release.

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DATED this 8th day of May, 2006.



JAMES P. DONOHUE  
United States Magistrate Judge

cc: District Judge: The Hon. Thomas S. Zilly  
AUSA: Ms. Susan Roe  
Defendant's attorney: Mr. Todd Maybrown  
Probation officer: Mr. Brian Rogers